

Regulatory  
Update:  
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# Schools Hazardous Waste Collection, Consolidation, and Accumulation Facility (SHWCCAF)



## PERMIT BY RULE

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State of California



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## New Permit By Rule (PBR) Authorization Regulations

Title 22, Division 4.5, California Code of Regulations (CCR), Chapter 45, Article 5. Requirements Applicable to the Operation of K - 12 Schools Hazardous Waste Collection, Consolidation, and Accumulation Facilities (SHWCCAF) Deemed to Have a Permit by Rule (PBR).

## Introduction

Effective January 30, 2002, new PBR regulations allow, under specified conditions, offsite transportation and collection of certain hazardous wastes generated by K - 12 schools. The authorization and operation requirements are similar to the existing PBR requirements for onsite hazardous waste treatment and household hazardous waste collection facilities, with some exceptions. A brief background discussion and highlights of the regulations are provided below.

## Background

Schools generate a variety of hazardous wastes from both educational and routine school facility maintenance activities. Management of hazardous wastes at schools is an issue of concern because children are very vulnerable to toxic hazards. They represent one of the most sensitive populations when evaluating risk associated with exposure to hazardous or toxic materials and wastes; and therefore, should be separated as much as possible from contact with these materials. However, most schools currently manage hazardous wastes onsite in storage areas on campus (often the janitor's closet) or in the science lab or other classroom. The wastes are often stored without adequate containment or security, and may not even be identified as hazardous waste at all.

Temporary offsite storage of hazardous wastes generated by K - 12 schools may help reduce the potential of student exposure to hazardous wastes stored on campus. Prior to adoption of these regulations, the only authorization option for offsite storage of K - 12 school hazardous wastes was the Standardized Permit, with requirements geared more toward large volume industrial facilities engaged in higher-risk waste treatment, storage, or disposal activities. However, K - 12 schools hazardous wastes are very similar to the wastes and management risks associated with household hazardous wastes and federal Conditionally Exempt Small Quantity Generator (CESQG) wastes currently managed offsite under PBR. Therefore, DTSC adopted the

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SHWCCAF PBR regulations to provide a relatively simple, inexpensive, and fast facility authorization option to the Standardized Permit, with requirements geared toward the lower volumes of wastes and risks associated with the offsite collection of hazardous wastes generated by K - 12 schools.

## Highlights of the Regulations

- PBR authorization under Chapter 45, Article 5 is limited to public or private K - 12 school districts and schools [§67450.40(a)(1)].
- SHWCCAFs must be located at a non-schoolyard location that is under the direct control of the school district, is not accessible by school students or the general public, and where operation of the SHWCCAF is consistent with local land use zoning or land use patterns (e.g., a school district corporation yard) [§§67450.41(a)(7) and 67450.42(e)].
- As with all other PBR authorizations, only non-Resource Conservation and Recovery Act (RCRA) or RCRA exempt hazardous wastes are eligible for transportation to and management at a SHWCCAF [§§67450.42(a)(1) and (2)].
- Eligible wastes are limited to routine operation and maintenance wastes. This does not include non-routine demolition, construction, or renovation wastes (such as site remediation wastes) [§67450.42(b)(3)].
- Science lab wastes must be properly lab packed according to Department of Transportation (DOT) requirements and the physical characteristics of the wastes prior to transportation to and collection at a SHWCCAF [§67450.42(c)(1)].
- While eligible wastes may be collected at the SHWCCAF, only those eleven wastestreams specifically identified in the regulations may be consolidated or bulked at the SHWCCAF [§67450.42(d)].
- PBR notification consists of the Business Activities and Business Owner/Operator pages of the Unified Program Consolidated Form (UPCF) and the eleven required facility infor-

mation items identified in the regulations [§67450.43(b)].

- The Phase I environmental assessment is limited to the area defined by operational boundary of the SHWCCAF [§67450.44(a)(6)(A)(1)].
- The maximum quantity of hazardous waste accumulated at the SHWCCAF at any one time cannot exceed 1,080 gallons or 8,800 pounds, whichever is greater [§67450.44(a)(8)].
- Eligible hazardous waste can be accumulated and stored at the SHWCCAF for up to one year [§67450.44(a)(9)].
- Not more than 135 gallons or 1,100 pounds of eligible hazardous waste may be transported from a contributing school to the SHWCCAF without using a hazardous waste manifest or registered transporter, but only under specified conditions (i.e., use of a shipping paper, etc.) [§67450.46(a)].
- All personnel handling hazardous waste transported to and managed at a SHWCCAF shall be subject to enhanced training requirements, as specified in the regulations [§67450.47(a)].
- Facility closure financial assurance is required for all SHWCCAFs authorized under PBR [§67450.49(c)].

## Assistance

For questions on implementing the new SHWCCAF PBR regulations, please contact Clyde West at (916) 324-1804. Please direct hazardous waste management questions to the DTSC office nearest you, call the regional Public and Business Liaisons at (800) 72TOXIC (1-800-728-6942), or visit [www.dtsc.ca.gov](http://www.dtsc.ca.gov).

## Disclaimer

The information contained in this regulatory update is based upon the statutes and regulations in effect as of the date of the update. However, this update does not replace or supersede any relevant statutes or regulations. Please consult the appropriate statutes or regulations for the actual requirements applicable to SHWCCAFs.